

Appl. No 10/660,922
Amdt. Dated October 31, 2005
Reply to office action of October 27, 2005

Amendments to the Drawings

The amendment to Figure 1 contained in the amendment of June 10, 2005 is withdrawn.

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REMARKS/ARGUMENTS

In the Advisory Action regarding the amendments filed August 29, 2005 and September 6, 2005 the examiner rejects applicant's arguments that the rejections of Claims 1, 2, 9, 13 and 14 are improper and these claims should be allowed. The examiner also rejects applicant's arguments that the amendment to figure 1 does not include new matter.

In response to examiner's rejection of applicant's arguments, this amendment places the application in condition for allowance as specified in the final Office Action of August 17, 2005, as further elaborated in the Office Action of October 27, 2005 without prejudice. In the Office Action of August 17, 2005 Claims 3, 4, 6-8, 15 and 16 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitation of the base claim and any intervening claims.

Applicant, in this amendment, has amended Claim 1 to include all the limitations of Claims 2 and 3. The amended Claim 1 is therefore an allowable claim containing all limitations of Claims 1, 2, and 3. Claims 2 and 3 are canceled as Claim 1 replaces their content. In the final Office Action of August 17, 2005 the examiner also objected to Claim 1 because of an informality. This informality has been corrected in this amendment. The final Office Action also contained an objection to Claim 2 because of an informality. This informality is mute as that claim is canceled.

Claim 6 has been amended to be dependent on amended Claim 1, rather than canceled Claim 3. As amended Claim 1 is now an allowable claim, the objection to Claim 6 is requested to be removed.

Claims 7 and 8 continue to be dependent on amended Claim 6 and Claim 7 respectively. Since these are dependant on allowable claims, the objection to Claims 7 and 8 is requested to be removed.

Claims 13 and 14 were previously stated as being rejected under 35 U.S.C. 103(a) as being unpatentable over Williams (6, 327,986) in view of Boulding et al. (5,860,372) when these claims were dependant on Claim 1 prior to this amendment. These dependent claims include all the limitations of the parent claim, and claim applicant's means for seedling tray positioning and advance, as described in paragraphs [00129], [00134], and [00135], and means for staggering seedling spacing, as described in paragraph [00125]. Since applicant's means are

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not addressed in either Williames (6, 327,986) or Boulding et al. (5,860,372), and Claim 1 has been amended to be an allowable claim, these claims are now allowable claims. The rejection of these claims is respectfully requested to be removed.

Claims 15 and 16 continue to be dependant on Claim 8 and 15 respectively. Since these are dependant on allowable claims, the objection to Claims 15 and 16 is requested to be removed.

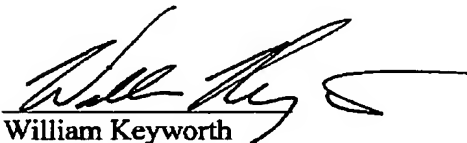
Withdrawal of the revision to Figure 1 as submitted in the amendment of June 10, 2005 is included in this amendment.

Claims 10-12, previously withdrawn, are now marked canceled.

Paragraph [00145] of the specification is amended to make the nomenclature in this paragraph consistent with the balance of the specification, in particular paragraphs [00113] and [00138].

Applicant submits that all objections and rejections of figures and claims have been addressed and applicant's application has been shown to be allowable and that action is respectfully requested.

Respectfully submitted:



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